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Attorneys for Defendants

FUJITSU LIMITED, and

FUJITSU MICROELECTRONICS AMERICA, INC.

IN THE UNITED STATES DISTRICT COURT

DISTRICT OF GUAM

NANYA TECHNOLOGY CORP. and
NANYA TECHNOLOGY CORP. U.S.A.,

Plaintiff,

vs.

FUJITSU LIMITED, FUJITSU
MICROELECTRONICS AMERICA, INC.,

Defendants.

CIVIL CASE NO. 06-CV-00025

**FUJITSU MICROELECTRONICS
AMERICA, INC.'S MOTION FOR
LEAVE TO FILE PORTABLE
DOCUMENT FORMAT ("PDF") AND
FACSIMILES COPIES PENDING
RECEIPT OF ORIGINAL**

[NO ORAL ARGUMENT REQUESTED]

FILED
DISTRICT COURT OF GUAM

JUN - 1 2007 *mbc*

MARY L.M. MORAN
CLERK OF COURT

1 NOW COMES Defendant Fujitsu Microelectronics America, Inc. ("FMA") and
2 respectfully moves this Honorable Court for leave to file herewith PDF and/or facsimile copies of
3 the following documents pending receipt of the originals:

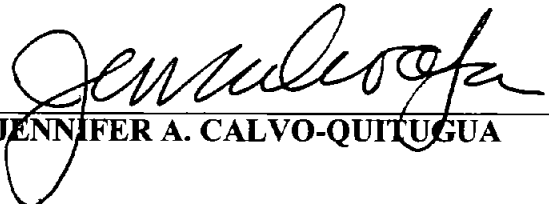
- 4 1) **DECLARATION OF MICHAEL M. MURRAY;**
- 5 2) **DECLARATION OF JAMES DUNLOP;**
- 6 3) **DECLARATION OF AKIO NEZU**

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8 This motion is made pursuant to GR 5.1(a) of the Local Rules of Practice for the
9 District Court of Guam. FMA seeks leave to file the copies pending receipt of the originals on
10 the ground that the signatories are located in Japan and New York, and it was not possible in the
11 time available to transmit the originals to Guam for filing. The original documents are being sent
12 to counsel, and will be filed with the Court upon receipt. Pending receipt of the originals, FMA
13 therefore requests leave to file pdf and/or facsimile copies, which were filed May 31, 2007.
14 Counsel for FMA further respectfully requests that the Court pardon the failure of counsel in
15 failing to file this Motion concurrently with the above-referenced declarations. The matter was an
16 oversight and counsel will work to ensure that future requests are filed concurrently, as had been
17 consistently done in the past.

18 Respectfully submitted this 1st day of June, 2007

19 **CALVO & CLARK, LLP**
20 **MILBANK, TWEED, HADLEY**
21 **& MCCLOY LLP**
22 *Attorneys for Defendants*
Fujitsu Limited and
Fujitsu Microelectronics America, Inc.

23
24 By:


25 **JENNIFER A. CALVO-QUITUGUA**
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